

projects in Iraq shall not be obligated or expended until the Secretary of Defense certifies to the Committees on Appropriations of both Houses of Congress that none of the funds are to be used for the purpose of providing facilities for the permanent basing of U.S. military personnel in Iraq.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", \$300,084,000: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds made available under this heading, \$270,785,000 shall remain available until September 30, 2009, and \$29,299,000 shall remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", \$361,900,000: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds made available under this heading, \$324,300,000 shall remain available until September 30, 2009, and \$37,600,000 shall remain available until September 30, 2012: *Provided further*, That funds made available under this heading for military construction projects in Iraq shall not be obligated or expended until the Secretary of Defense certifies to the Committees on Appropriations of both Houses of Congress that none of the funds are to be used for the purpose of providing facilities for the permanent basing of U.S. military personnel in Iraq.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for "Military Construction, Defense-Wide", \$27,600,000, to remain available until September 30, 2009: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Family Housing Construction, Navy and Marine Corps", \$11,766,000, to remain available until September 30, 2012: *Provided*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$1,202,886,000, to remain available until expended.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION GENERAL OPERATING EXPENSES

For an additional amount for "General Operating Expenses", \$100,000,000, to remain available until expended.

INFORMATION TECHNOLOGY SYSTEMS

For an additional amount for "Information Technology Systems", \$20,000,000, to remain available until expended.

CONSTRUCTION, MAJOR PROJECTS

For an additional amount for "Construction, Major Projects", \$437,100,000, to remain available until expended, which shall be for acceleration and completion of planned major construction of Level I polytrauma rehabilitation centers as identified in the Department of Veterans Affairs' Five Year Cap-

ital Plan: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and major medical facility construction not otherwise authorized by law: *Provided further*, That within 30 days of enactment of this Act the Secretary shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. In addition to amounts otherwise appropriated or made available under the heading "Military Construction, Army", there is hereby appropriated an additional \$70,600,000, to remain available until September 30, 2012, for the acceleration and completion of child development center construction as proposed in the fiscal year 2009 budget request for the Department of the Army: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction not otherwise authorized by law.

SEC. 1302. In addition to amounts otherwise appropriated or made available under the heading "Military Construction, Navy and Marine Corps", there is hereby appropriated an additional \$89,820,000, to remain available until September 30, 2012, for the acceleration and completion of child development and youth center construction as proposed in the fiscal year 2009 budget request for the Department of the Navy: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction not otherwise authorized by law.

SEC. 1303. In addition to amounts otherwise appropriated or made available under the heading "Military Construction, Air Force", there is hereby appropriated an additional \$8,100,000, to remain available until September 30, 2012, for the acceleration and completion of child development center construction as proposed in the fiscal year 2009 budget request for the Department of the Air Force: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction not otherwise authorized by law.

SEC. 1304. In addition to amounts otherwise appropriated or made available under the heading "Military Construction, Army", there is hereby appropriated an additional \$200,000,000, to remain available until September 30, 2012, to accelerate barracks improvements at Department of the Army installations: *Provided*, That such funds may be obligated and expended to carry out planning and design and barracks construction not otherwise authorized by law: *Provided further*, That within 30 days of enactment of this Act the Secretary shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for barracks construction prior to obligation.

SEC. 1305. COLLECTION OF CERTAIN INDEBTEDNESS OF MEMBERS OF THE ARMED FORCES AND VETERANS WHO DIE OF INJURY INCURRED OR AGGRAVATED IN SERVICE IN THE LINE OF DUTY IN A COMBAT ZONE. (a) LIMITATION ON AUTHORITY.—

(1) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by inserting after section 5302 the following new section:

"§ 5302A. Collection of indebtedness: certain debts of members of the Armed Forces and veterans who die of injury incurred or aggravated in the line of duty in a combat zone"

"(a) LIMITATION ON AUTHORITY.—The Secretary may not collect all or any part of an amount owed to the United States by a member of the Armed Forces or veteran described in subsection (b) under any program under the laws administered by the Sec-

retary, other than a program referred to in subsection (c), if the Secretary determines that termination of collection is in the best interest of the United States.

"(b) COVERED INDIVIDUALS.—A member of the Armed Forces or veteran described in this subsection is any member or veteran who dies as a result of an injury incurred or aggravated in the line of duty while serving in a theater of combat operations (as determined by the Secretary in consultation with the Secretary of Defense) in a war or in combat against a hostile force during a period of hostilities (as that term is defined in section 1712A(a)(2)(B) of this title) after September 11, 2001.

"(c) INAPPLICABILITY TO HOUSING AND SMALL BUSINESS BENEFIT PROGRAMS.—The limitation on authority in subsection (a) shall not apply to any amounts owed the United States under any program carried out under chapter 37 of this title."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 5302 the following new item:

"5302A. Collection of indebtedness: certain debts of members of the Armed Forces and veterans who die of injury incurred or aggravated in the line of duty in a combat zone."

(b) EQUITABLE REFUND.—In any case where all or any part of an indebtedness of a covered individual, as described in section 5302A(a) of title 38, United States Code, as added by subsection (a)(1), was collected after September 11, 2001, and before the date of the enactment of this Act, and the Secretary of Veterans Affairs determines that such indebtedness would have been terminated had such section been in effect at such time, the Secretary may refund the amount so collected if the Secretary determines that the individual is equitably entitled to such refund.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to collections of indebtedness of members of the Armed Forces and veterans who die on or after September 11, 2001.

(d) SHORT TITLE.—This section may be cited as the "Combat Veterans Debt Elimination Act of 2008".

CHAPTER 4

SUBCHAPTER A—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008 DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for "Diplomatic and Consular Programs", \$1,413,700,000, to remain available until September 30, 2009, of which \$212,400,000 for worldwide security protection is available until expended: *Provided*, That not more than \$1,095,000,000 of the funds appropriated under this heading shall be available for diplomatic operations in Iraq: *Provided further*, That of the funds appropriated under this heading, up to \$5,000,000 shall be made available to establish a United States Consulate in Lhasa, Tibet: *Provided further*, That the Department of State shall not consent to the opening of a consular post in the United States by the People's Republic of China until such time as a United States Consulate in Lhasa, Tibet is established.